

## REMARKS

This application has been carefully reviewed in light of the Office Action dated June 2, 2008. Claims 1 to 13 and 32 remain pending in the application, with Claims 14 to 31 and 33 (the withdrawn claims) having been cancelled herein. Claims 1, 7, 13 and 32 are the independent claims herein. Reconsideration and withdrawal of the rejections are respectfully requested.

The title was objected to. A new title has been provided as recited above and therefore, withdrawal of the objection is respectfully requested.

Claim 6 was objected to. Without conceding the correctness of the objection, the terminology relating to the objection has been cancelled from the claim. Reconsideration and withdrawal of the objection are respectfully requested.

Claims 1 to 13 and 32 were rejected under 35 U.S.C. § 112, second paragraph. Without conceding the correctness of the rejections, the term noted in the Office Action has been amended to make it clearer that the information is acquired via a network. Reconsideration and withdrawal of the rejections are respectfully requested.

Claims 1, 2, 5 to 8, 11 to 13 and 32 were rejected under 35 U.S.C. § 102(a) over U.S. Patent No. 7,222,104 (Tadayon), Claims 1 to 3, 5 to 9, 11 to 13 and 32 were alternatively rejected under 35 U.S.C. § 103(a) over Tadayon in view of U.S. Patent No. 6,512,894 (Takemoto), and Claims 4 and 10 were rejected under § 103(a) over Tadayon in view of Takemoto and further in view of Official Notice. Reconsideration and withdrawal of the rejections

The present invention concerns installation of license information to add an amount of allowable usage of a program. According to the invention, a management unit

manages license identification information corresponding to license information that has already been installed. When the management apparatus acquires, via a network, license identification information identifying license information, and license information indicating an amount of a change in a right of usage of the program, a determination is made whether the acquired license identification information is included in the license information managed by the management unit. If the license identification information is not included in the management unit, then the acquired license information is installed to add the amount of allowed usage of the program. If, however, the license information is included in the management unit, then the acquired license information is not installed, thereby avoiding duplicate installation of the license information.

Referring specifically to the claims, amended independent Claim 1 is directed to a management apparatus for managing license information indicating an amount of allowed usage of a program executable on an image forming apparatus or a function of the image forming apparatus, comprising acquisition means for acquiring, via a network, license identification information ~~for~~ identifying license information, and license information indicating an amount of a change in a right of usage of the program, management means for managing license identification information corresponding to license information that has already been installed, determination means for determining whether the acquired license identification information corresponding to the acquired license information is included in the license identification information managed by the management means so as to avoid a duplicate installation of the license information; and installation means for, if the determination means determines that the acquired license identification information corresponding to the acquired license information is not included

in the license identification information managed by the management means, installing the license information to add the amount of allowed usage of the program in accordance with the license information acquired by the acquisition means, wherein the installation means does not install the license information if the determination means determines that the acquired license identification information corresponding to the acquired license information is included in the license identification information managed by the management means.

Claims 7, 13 and 32 are method, computer medium, and apparatus (in non-means-plus-function format) that substantially correspond to Claim 1.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 1, 7, 13 and 32, and in particular, is not seen to disclose or to suggest at least the features of a management apparatus i) determining whether acquired license identification information corresponding to acquired license information is included in license identification information managed by a management means/unit so as to avoid a duplicate installation of the license information, and ii) if it is determined that the acquired license identification information corresponding to the acquired license information is not included in the license identification information managed by the management means/unit, installing the license information to add the amount of allowed usage of the program in accordance with the acquired license information, and not installing the license information if it is determined that the acquired license identification information corresponding to the acquired license information is included in the license identification information managed by the management means/unit.

Tadayon is seen to disclose a system for transferring digital works from one user to another, in which the server manages usage rights information as a flag and in which usage rights can be transferred for digital works. That is, Tadayon provides the ability for a user to use digital content based on usage rights for each user, and the user can transfer the usage rights for the digital content to another user. However, Tadayon is not seen to disclose or to suggest at least the features of a management apparatus i) determining whether acquired license identification information corresponding to acquired license information is included in license identification information managed by a management means/unit so as to avoid a duplicate installation of the license information, and ii) if it is determined that the acquired license identification information corresponding to the acquired license information is not included in the license identification information managed by the management means/unit, installing the license information to add the amount of allowed usage of the program in accordance with the acquired license information, and not installing the license information if it is determined that the acquired license identification information corresponding to the acquired license information is included in the license identification information managed by the management means/unit.

Takemoto is not seen to add anything that, when combined with Tadayon, would have resulted in the present invention. In this regard, Takemoto is seen to disclose that a cartridge is associated with license information, and when the cartridge is installed in an image forming apparatus, identification information is read from the cartridge and a judgment is made whether or not the cartridge is licensed. However, Takemoto is not seen to disclose or to suggest anything that, when combined with Tadayon, would have resulted in the features of a management apparatus i) determining whether acquired license

identification information corresponding to acquired license information is included in license identification information managed by a management means/unit so as to avoid a duplicate installation of the license information, and ii) if it is determined that the acquired license identification information corresponding to the acquired license information is not included in the license identification information managed by the management means/unit, installing the license information to add the amount of allowed usage of the program in accordance with the acquired license information, and not installing the license information if it is determined that the acquired license identification information corresponding to the acquired license information is included in the license identification information managed by the management means/unit.

The Official Notice taken in the Office Action is merely regarding a public key system. However, the allegedly Official Notice does nothing to make up for the deficiencies of Tadayon and Takemoto.

In view of the foregoing amendments and deficiencies of the applied art, independent Claims 1, 7, 13 and 32, as well as the claims dependent therefrom, are believed to be allowable.

Claims 1 to 13 and 32 were also provisionally rejected under the judicially-created doctrine of non-statutory obviousness-type double patenting over Claims 1 to 11 of co-pending Application No. 10/683,293 (the “‘293 application”). The rejections are respectfully traversed.

First, inasmuch as Claims 1 to 11 of the ‘293 application have not in fact been patented, the rejection is premature and the claims of the present application should be passed to allowance. Nonetheless, Claims 1 to 11 of the ‘293 application, as currently

pending, merely relate to similar subject matter as that of the present invention regarding right of usage of an application. However, none of the claims of the '293 application disclose or suggest the features of a management apparatus i) determining whether acquired license identification information corresponding to acquired license information is included in license identification information managed by a management means/unit so as to avoid a duplicate installation of the license information, and ii) if it is determined that the acquired license identification information corresponding to the acquired license information is not included in the license identification information managed by the management means/unit, installing the license information to add the amount of allowed usage of the program in accordance with the acquired license information, and not installing the license information if it is determined that the acquired license identification information corresponding to the acquired license information is included in the license identification information managed by the management means/unit. Accordingly, reconsideration and withdrawal of the provisional double patenting rejections are respectfully requested.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Edward Kmett /  
Edward A. Kmett  
Attorney for Applicant  
Reg. No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

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